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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,581	09/09/2003	William R. Wadleigh	1842.002US1	4658
70648	7590	07/18/2008		
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			EXAMINER	
			D'AGOSTINO, PAUL ANTHONY	
			ART UNIT	PAPER NUMBER
			3714	
			MAIL DATE	DELIVERY MODE
			07/18/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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In re Application of:

WADLEIGH, WILLIAM R.

Serial No. 10/659,581

Filed: Sep. 9, 2003

Docket: 1842.002US1

Title: ELECTRONIC GAME AND SYSTEM
HAVING OVERLAYED VIDEO IMAGES

DECISION ON PETITION
UNDER 37 CFR § 1.181

This is a decision on the petition to withdraw the holding of abandonment filed on Jun. 16, 2008. The petition is being considered as a petition pursuant to 37 CFR 1.181(a). No fee is required. The petitioner requests a withdrawal of the holding of abandonment.

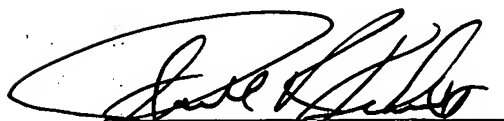
The petition is **GRANTED**.

The present application was held abandoned for failure to timely respond to the Final Rejection mailed on Sep. 20, 2007 which set forth a three-month period for reply. Notice of abandonment was mailed on Apr. 16, 2008.

Petitioner asserts that a timely response to the Final Rejection was timely filed on Mar. 20, 2008 and received by USPTO on Apr. 14, 2008. The petitioner has supplied a copy of the amendment and Request for Continued Examination as well as a copy of an acknowledgement post-card receipt indicating a receipt date of Apr. 14, 2008. There was a petition of three-month extension of time fee paid according to USPTO Palm system. The response also included a certificate of mailing dated Mar. 20, 2008.

As the petitioner has provided convincing evidence that a timely reply to the Final Office action was received on Apr. 16, 2008, there is no abandonment in fact. Any inconvenience or delay caused to applicant is regretted.

In view of the above, the Notice of Abandonment mailed Apr. 16, 2008 is in error and is hereby vacated. The holding of abandonment is withdrawn. This application is being forwarded to the examiner in Art Unit 3714 for appropriate action.



Frederick R. Schmidt, Director
Technology Center 3700